

EXAMINER INTERVIEW

On November 05, 2003 Attorney for Applicant, John P. Wagner, Jr., and Examiner Lee conducted a telephone conference. During the telephone conference Mr. Wagner and Examiner Lee discussed the above-referenced Application and the restriction requirements identified by the Examiner. Applicant wishes to thank Examiner Lee for taking time for the telephone conference.

REMARKS

In the Office Action mailed October 03, 2003, the Examiner states that the present Application contains two distinct inventions related as process of making and product made. As such, the Examiner is requiring the Applicant to elect a single invention for examination. Specifically, the Examiner is requiring the Applicant to elect between a first invention, Group I, recited in Claims 1-10 and 18-28, drawn to a keyed filler panel assembly, classified in Class 174, subclass 35R, and a second invention, Group II, recited in Claims 11-17 and 29-38, drawn to a method to simplify removable coupling, classified in Class 264, subclass 167.

ELECTION WITHOUT TRAVERSE BETWEEN GROUP I AND GROUP II

Applicant elects without traverse Group I, recited in Claims 1-10 and 18-28, drawn to a keyed filler panel assembly, classified in Class 174, subclass 35R.

Election/Restrictions

In the Office Action, the Examiner states that Group I contains the following patentably distinct species of the claimed invention: The species of Figures 2, 3, 4, 5, 6, 7, 9a, 9b, 9c, 9d, 10, and 11. As discussed in the Examiner interview, Applicant respectfully points out that the species restriction is improper. The preamble of the Examiners restriction requirement states "this application contains Claims (emphasis added) directed to the following patentably distinct species." The Claims of the present Application are drawn to embodiments of Figures 9-12. Therefore, the species restriction with respect to Figures 2, 3, 4, 5, 6, and 7 is improper and should be withdrawn as there are no Claims to those specified species. Applicant respectfully requests the Examiner explicitly withdraw the species of Figures 2, 3, 4, 5, 6, and 7 (i.e., species a, b, c, d, aa, and bb) in the next Office Action.

With respect to the Figures 9A-12, Applicant submits that Claims 1 and 18 of Group 1 are generic and that the species election/restriction requirements are unwarranted. Specifically, Applicant respectfully states that Figures 9A-12 are various embodiments of the generic Claims 1 and 18. Therefore, Applicant respectfully requests withdrawal of the species restriction. Applicant respectfully requests the Examiner explicitly withdraw the species of Figures 9A-12 (i.e., species e, f, g, h, i, and j) in the next Office Action.

Conclusion


In light of the above-listed amendments and remarks, Applicant respectfully requests examination of the Claims. Claims 11-17 and 29-38 are cancelled. Claims 1-10 and 18-28 remain pending.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Date: 11/02/03



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